

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: March 15, 2006

Division: Public Works

Bulk Item: Yes X No

Department: Facilities Maintenance

Staff Contact Person: John W. King

AGENDA ITEM WORDING: Approval of a Lease Amendment with Nancy Curran, d/b/a Yoga on the Beach, to waive fees for the months Higgs Beach was closed due to Hurricane activity (October, November and December 2005), and the yoga platform was partially destroyed.

ITEM BACKGROUND: Nancy Curran, d/b/a Yoga on the Beach, uses the platform at Higgs Beach for yoga classes for a fee of \$120.00 for May 1 through October 31, and \$400.00 for November 1 through April 30. The Owner is requesting help from the County by waiving the fees for the three months: October 2005 - \$120.00, November and December 2005 - \$400.00 each month.

PREVIOUS RELEVANT BOCC ACTION: N/A

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval to waive fees for the months of October, November, and December, 2005.

TOTAL COST: N/A

BUDGETED: Yes N/A No

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes X No **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

Beth Leto for
C. Dent Pierce, Director, Public Works

DOCUMENTATION: Included X Not Required

DISPOSITION:

AGENDA ITEM #

Ann Riger
Monroe County Facilities Management
3583 S. Roosevelt Blvd
Key West, FL 33040

December 7, 2005

Dear Ann,

This letter is to request that the rent for October, November and December, for the use of the Higgs Beach Platform by Yoga on the Beach, be waived. The platform was moved during Wilma and although it has been placed back on the foundation it currently is not secured to be used. Our business has suffered because of the inability to have our location available to us.

We would like to thank all of the County employees who worked so diligently to clean up the beach, move the platform back to its foundation and continue to assist in the recovery from the hurricane season. They have brought the beach back from devastation to the best it has looked in years! I would like to especially mention Terry, Benjamin and Rick who have been very considerate of our situation.

We appreciate your consideration of this request and thank you for your assistance.

Sincerely,

A handwritten signature in cursive script, reading "Nancy J. Curran".

Nancy J. Curran
Yoga on the Beach

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

CONTRACT SUMMARY

Contract with: Nancy Curran, d/b/a Contract #
Yoga on the Beach Effective Date:
Expiration Date:

Contract Purpose/Description:

The purpose of the agenda item is to abate rents for the months of October, November and December, 2005 due to damage to Higgs Beach caused by Hurricanes, and the inability to operate her business due to the yoga platform being partially destroyed

Contract Manager: Jo B. Walters 4549 Facilities Maint/Stop #4
(Name) (Ext.) (Department/Stop #)

for BOCC meeting on 03/15/06 Agenda Deadline: 02/28/06

CONTRACT COSTS/REVENUE

Total Dollar Value of Contract: \$ Revenue Current Year Portion: \$ N/A
Budgeted? Yes ☐ No ☐ Account Codes:
Grant: \$ N/A
County Match: \$ N/A

ADDITIONAL COSTS

Estimated Ongoing Costs: \$ /yr For:
(Not included in dollar value above) (eg. maintenance, utilities, janitorial, salaries, etc.)

CONTRACT REVIEW

	Date In	Changes Needed	Reviewer	Date Out
Division Director	<u>3/1/06</u>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<u>[Signature]</u>	<u>3/2/06</u>
Risk Management	<u>2-28-06</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>M. Slawik</u>	<u>2-28-06</u>
O.M.B./Purchasing	<u>3/1/06</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>[Signature]</u>	<u>3/1/06</u>
County Attorney	<u>2-28-06</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>[Signature]</u>	<u>2-28-06</u>

Comments:

LEASE AMENDMENT

This Lease Amendment is made and entered into this _____ day of March, 2005, between the COUNTY OF MONROE, and NANCY CURRAN, d/b/a YOGA ON THE BEACH. in order to amend the Facilities Use Agreement, hereinafter referred to as "Lease" between the COUNTY OF MONROE and MEGHAN COLE, d/b/a YOGA BY THE SEA, dated July 14, 2004, and as assigned to NANCY CURRAN, d/b/a YOGA ON THE BEACH on July 20, 2005 as follows:

1. Rental amounts of \$120.00 (One Hundred Twenty and no/100 Dollars) for October 2005, and \$400.00 (Four Hundred and no/100 Dollars) for months of November and December 2005 each, shall be abated due to the closing of Higgs Beach during the months of October, November and December, 2005, because of damage caused by hurricanes and the yoga platform was partially destroyed.
2. In all other respects, the original agreement between the parties dated July 14, 2004 and as assigned on July 20, 2005 remains in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal the day and year first written above.

(Seal)
Attest: DANNY L. KOLHAGE, CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA


By: _____
Deputy Clerk

By: _____

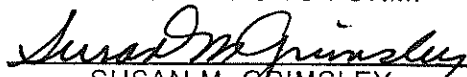

Witness

NANCY CURRAN, d/b/a
YOGA ON THE BEACH


Witness

By: 

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


SUSAN M. GRIMSLEY
ASSISTANT COUNTY ATTORNEY